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Attorneys for Plaintiff JOY NWABUEZE
and the Putative Class

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JOY NWABUEZE, individually and on behalf
of a class of similarly situated individuals,
Plaintiff,
vs.
AT&T INC., a Delaware corporation;
PACIFIC BELL TELEPHONE COMPANY
d/b/a AT&T CALIFORNIA, a California
corporation; AT&T SERVICES, INC., a
Delaware corporation; AT&T OPERATIONS,
INC., a Delaware corporation; and DOES 1
through 21,
Defendants.

Case No. CV 09-01529 SI

STIPULATED REQUEST AND
[Proposed] ORDER EXTENDING
DEFENDANT AT&T, INC.'S TIME TO
RESPOND TO FIRST AMENDED
COMPLAINT
[Local Rule 6-2]

Judge: Hon. Susan Illston

First Amended Class Action Complaint
Filed: August 13, 2009

1 WHEREAS, Plaintiff Joy Nwabueze ("Plaintiff") caused the Summons and
2 Complaint in this action to be served on Defendant AT&T Inc. on April 30, 2009;

3 WHEREAS, Plaintiff subsequently filed a First Amended Complaint for Damages,
4 Declaratory and Injunctive Relief on August 13, 2009;

5 WHEREAS, Defendant AT&T, Inc. filed a Motion to Dismiss for Lack of Personal
6 Jurisdiction pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, on
7 September 18, 2009, and that motion was taken off calendar pending the resolution of the
8 Motion to Dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure filed
9 by the other Defendants and joined by AT&T Inc. in the alternative;

10 WHEREAS, in a Minute Order dated February 4, 2011, the Court terminated all
11 prior motions to dismiss and set March 18, 2011 as the date by which any such motions to
12 dismiss must be refiled, if necessary;

13 WHEREAS, parties have been engaged in discussions regarding the possible
14 dismissal without prejudice of Defendant AT&T, Inc., and require additional time to
15 complete such discussions;

16 WHEREAS, Defendant AT&T, Inc. requested, and Plaintiff agreed, to stipulate to a
17 thirty-day extension of the time until April 18, 2011, within which Defendant AT&T, Inc.
18 must respond to the First Amended Complaint;

19 WHEREAS, Defendant AT&T, Inc. requested, and Plaintiff agreed, to stipulate to a
20 thirty-day extension of the time until May 18, 2011, within which Defendant AT&T, Inc.
21 must respond to the First Amended Complaint;

22 WHEREAS, Defendant AT&T, Inc. requested, and Plaintiff agreed, to stipulate to a
23 thirty-day extension of the time until June 17, 2011, within which Defendant AT&T, Inc.
24 must respond to the First Amended Complaint;

25 WHEREAS, the parties believe that deferring the issue of personal jurisdiction over
26 Defendant AT&T, Inc. at this time will not delay the litigation and may instead realize
27 efficiencies and judicial economy;

28

1 WHEREAS, the extension will not alter the date of any event or deadline already
2 fixed by Court order other than Defendant AT&T, Inc.'s response date;

3 NOW THEREFORE, it is hereby stipulated by and between the parties, through
4 their respective counsel, that Defendant AT&T Inc. shall have until June 17, 2011, within
5 which to respond to Plaintiff's First Amended Complaint.

6 Dated: May 17, 2011.

PILLSBURY WINTHROP SHAW PITTMAN LLP
ROXANE A. POLIDORA
CONNIE J. WOLFE

By /s/ Roxane A. Polidora

Roxane A. Polidora
Attorneys for Defendant
AT&T INC.

11 Dated: May 17, 2011

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DAVID SCHACHMAN

By /s/ John G. Jacobs

John G. Jacobs
Attorneys for Plaintiff
JOY NWABUEZE and the Putative Class

19 **ATTESTATION OF SIGNATURE**
20 **(N.D. Cal. General Order 45)**

21 I, Roxane A. Polidora, hereby attest that concurrence in the filing of the following
22 document: **STIPULATED REQUEST AND [Proposed] ORDER EXTENDING**
23 **DEFENDANT AT&T, INC.'S TIME TO RESPOND TO FIRST AMENDED**
24 **COMPLAINT [Local Rule 6-2]** has been obtained from all of the signatories.

25 Dated: May 17, 2011

/s/ Roxane A. Polidora

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The deadline for Defendant AT&T Inc. to answer or otherwise respond to the First Amended Complaint shall be and is hereby extended to June 17, 2011.

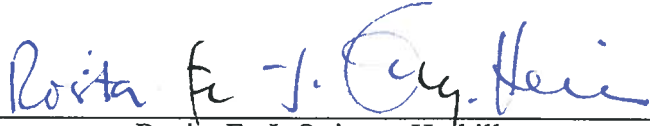
Date: 5/18/11



The Honorable Susan Illston
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on May 17, 2011, a true and correct copy of **STIPULATED REQUEST AND [Proposed] ORDER EXTENDING DEFENDANT AT&T, INC.'S TIME TO RESPOND TO FIRST AMENDED COMPLAINT [Local Rule 6-2]** was electronically transmitted to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to all ECF registrants in this case.



Rosita Fe J. Quimpo-Herbilla